

REMARKS

Claims 1-9 are pending in the application.

Claims 4, 5, 7, and 8 have been amended herewith. Applicants respectfully submit no new matter has been added by way of these amendments. Further, the multiple independencies in the claims have been corrected as requested by the Examiner. Therefore, Applicants request further consideration of pending Claims 4-9.

Claims 1-3 stand rejected under 35 U.S.C. § 102(b) as being anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as obvious over Tamaki *et al.*(sic).

Applicants respectfully traverse the rejection and request withdrawal of same.

Applicants' invention teaches boron-containing graphite powders having specific looped closed structures.

Tamaki *et al.* teaches boron-containing graphite materials.

Tamaki *et al.* does not teach or suggest boron-containing graphite powders having a specific looped closed structures as provided by way of the present invention.

The Examiner admits in the Office Action dated September 1, 2000, that Tamaki *et al.* does not recite the surface area and between-closure structures as provided by way of Applicants' invention. Further, Applicants respectfully submit the Examiner is in error in the statement made in said Office Action that "Tamaki is deemed to possess them since the d spacing, which represents basic microstructure, is the same as claimed." The Examiner has not provided any evidence in support of this statement, other than the Examiner's own opinion.

Applicants maintain that there is no support for the rejection(s) under either 35 U.S.C. § 102(b) or under 35 U.S.C. § 103(a). Applicants request withdrawal of the rejection.

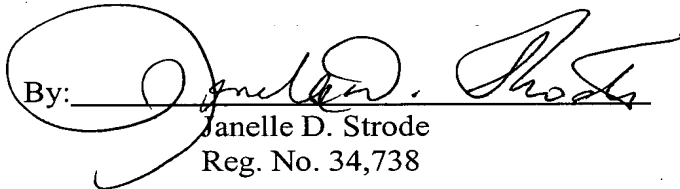
CONCLUSION

Applicants request prompt and favorable consideration of pending Claims 1-9.

Respectfully submitted,

SONNENSCHN NATH & ROSENTHAL

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By: 
Janelle D. Strode
Reg. No. 34,738

SONNENSCHN NATH & ROSENTHAL
P.O. Box #061080
Wacker Drive Station
Sears Tower
Chicago, IL 60606-6404
(312)876-8000

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Date JoEllen Hogan